

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN**

DANYEL JOHNSON
Plaintiff,

v.

Case No. 13-C-1023

**CAROLYN W. COLVIN,
Acting Commissioner of the Social Security Administration**
Defendant.

ORDER

Plaintiff Danyel Johnson seeks judicial review of the Commissioner's decision denying her application for social security disability benefits. Ordinarily, a plaintiff must pay a statutory filing fee to bring an action in federal court, 28 U.S.C. § 1914(a), but plaintiff requests leave to proceed in forma pauperis. Under 28 U.S.C. § 1915(a), an indigent party may commence a federal court action, without paying required costs and fees, upon submission of an affidavit asserting inability "to pay such fees or give security therefor" and stating "the nature of the action, defense or appeal and affiant's belief that the person is entitled to redress." 28 U.S.C. § 1915(a)(1).

Plaintiff has filed the required affidavit. Upon review of that affidavit, the court is satisfied that she satisfies the poverty requirements of § 1915. Plaintiff avers that she is unemployed, with two minor dependents and no valuable assets aside from a 1999 automobile. Further, on review of the complaint the court is unable to determine that the action is frivolous or that the complaint fails to state a claim.

THEREFORE, IT IS ORDERED that plaintiff's petition to proceed without prepayment of fees and costs (R. 2) is **GRANTED**. The file will be returned to the Clerk of Courts for service on defendant.

Plaintiff is advised to provide defendant or her counsel with copies of all future motions or papers filed by plaintiff in this action.

Dated at Milwaukee, Wisconsin this 13th day of September, 2013.

/s Lynn Adelman

LYNN ADELMAN
District Judge